Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Petitions for Rulemaking	)	**RM-10781 through RM 10787**
Against Morse Code in	)	
Amateur Radio Licensing	)	

To: The Commission

COMMENTS OF UNITED STATES MEMBERS OF THE FIRST CLASS CW OPERATORS' CLUB

Pursuant to Section 1.405 of the Federal Communications Commission's (FCC or Commission) Rules, 47 C.F.R. §1.405, United States members of the First Class CW Operators' Club ("FOC-US") hereby submit these Comments in the above-captioned proceeding. FOC-US is the United States membership of an international Morse Code ("CW") organization consisting of some 500 members that fosters and encourages a high standard of CW operating ability and behavior on the Amateur bands. It is home-based in England, and its U.S. membership constitutes the plurality of the total membership.[1] The FOC was founded in 1938. The essence of the various rulemaking petitions is to eliminate or severely limit the application of Element 1 in Amateur Radio Service license testing. For the reasons discussed below, FOC-US opposes elimination of the CW

[1] The Drafting Committee has prepared this pleading on behalf of all interested U.S. members of FOC.

testing requirement for the Amateur Radio Service. FOC-US supports demonstrated CW proficiency for at least the Amateur Extra Class license.

CW Is a Critical Emergency Communications Skill That Must be Maintained. While the rationale for CW in licensing may have changed or evolved over the past decades, its continued requirement as a prerequisite for licensees wishing to use the Advanced and Extra portions of the Amateur bands remains as vital as ever. FOC-US is concerned that elimination of Element 1 (minimal CW proficiency) as a prerequisite for higher class licenses in Amateur Radio would reverse the long held benefits that have distinguished Amateur Radio operators from most other personal radio licensees since passage of the Communications Act in 1934. More specifically, CW serves as mode of last resort to support emergency communications because it is most copiable under adverse conditions of reception, featuring a benefit of some 12 dB over the most efficient voice mode.

As a mandatory component of higher class Amateur licensing, CW proficiency remains viable among a large number of Amateurs for use in the event of national or local emergencies when commercial modes of communication are inoperative. Absent this requirement, the new Amateur would have no knowledge of the benefits or features of CW, which would lead to its ultimate demise and the loss of its use as a critical skill for public safety communications.

CW testing, at the currently modest proficiency level of but 5 wpm, represents a minimal standard that anyone serious about using Amateur Radio HF bands should be more than willing to possess. It is not important or even relevant that CW is not as commonly used in commercial circles as it once was. Indeed, while the majority

of Amateurs authorized today use only SSB, they have at least distinguished themselves by having learned rudimentary CW, and many have gone on to use it actively to maintain the skill needed to communicate in times of emergency. Most licensees understand its capabilities, appreciate its availability as an alternative mode, and respect it as a terribly important mode that can be used to great advantage for emergency communications purposes. They are, in short, keepers of the skill. Licensing without CW testing is analogous to providing students with calculators but no knowledge of algebra or, for that matter, addition and subtraction.[2] At the very least, the HF privileges associated with the Amateur Extra Class license should be granted only after demonstration of CW proficiency.

This level of competence and national capability cannot be maintained with a licensing scheme under which CW is eliminated entirely, as some petitioners want. It is self-evident that elimination of CW as a testing criterion would serve to remove the training ground for future Amateurs capable of using the mode, a risk to public safety and a degradation of the public interest.

Elimination of CW Testing Will Adversely Affect National Emergency Preparedness. FOC-US is also concerned that proposals to eliminate Element 1, the Morse proficiency test, from the array of testing standards for Amateur Radio licensing may be interpreted as a first step in elimination of the current CW assignments in the

[2] In today's licensing environment, there is a perceived "dumbing down" of the licensing requirements. Many former Citizen Band and lower level Amateur licensees wishing to secure authorization to use the entirety of scarce spectrum allocated to the Amateur Radio Service would be content to simply memorize a few rules and apply a general knowledge of communications technology. Eliminating CW testing would accelerate this trend and eventually dilute the integrity and capabilities of the Amateur Radio Service.

high-frequency ("HF") bands in the United States. To the extent that such an interpretation or eventuality could stem from these petitions, FOC-US opposes acceptance of the petitions as rule proposals under Section 1.407 of the Rules, 47 C.F.R. §1.407.

The Commission should be keenly aware that CW is a mode used by thousands of skilled Amateur Radio operators on a daily basis. CW's technical advantages over other commonly used modes such as SSB and most high speed data modes make it a mode of last resort in times of local or national emergency. It has a signal-to-noise ratio benefit of some 12 dB over SSB, meaning that under adverse conditions it can be the only mode that will "get the message through." It is also very narrow banded, meaning it is far less susceptible to various types of interference.[3] For these reasons, the Commission should encourage its use as a means to foster emergency preparedness.[4]

One way to provide such encouragement is for the Commission to explicitly state in any subsequent rulemaking proceeding that the current CW bands will be retained, among other reasons, for the purpose of ensuring the availability of spectrum where CW can function unfettered by the intrusion of SSB and other less frequency agile

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[3] Many more CW stations can occupy a given bandwidth and CW can tolerate noise and phase distortion more readily than SSB and most data modes. However, CW cannot operate viably in an environment of SSB and data transmissions.

[4] CW has been used in emergencies where no other mode has been available. Senator McCain, for example, used it in a Vietnam prisoner of war camp to communicate with fellow prisoners, and untold numbers of Amateurs have used it as a mode of communication following strokes. *See, e.g.*, http://www.screenit.com/ourtake/1999/return_with_honor.html. All of these uses are ancillary and anecdotal to the broader benefits of CW in adverse radio conditions to carry health and welfare traffic.

(and broader-banded) modes. The public interest and national security support such a statement.

Summary. FOC-US urges the Commission to continue to require CW proficiency for at least the Amateur Extra Class license.

Respectfully submitted,

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